

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

**IN RE: AMERICAN MEDICAL SYSTEMS, INC.,
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

MDL NO. 2325

**IN RE: BOSTON SCIENTIFIC CORP.
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

MDL NO. 2326

**IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION**

MDL NO. 2327

**APPLICATION OF DOUGLAS C. MONSOUR
FOR APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE**

This Application is submitted in support of my appointment to the Plaintiffs' Steering Committee in these MDL proceedings following the United States Judicial Panel on Multidistrict Litigation Transfer Order dated February 7, 2012.

I am the founder of The Monsour Law Firm of Longview, Texas. I have been licensed to practice law in the State of Texas since November of 1994. I am also licensed to practice law in the United States District Court for the Eastern District of Texas, the United States District Court for the Southern District of Texas, and the United States District Court for the Northern District of Texas. I obtained my Bachelor of Arts Degree from Rice University in 1991, and my Doctor of Jurisprudence Degree from Texas Tech School of Law, magna cum laude, in 1994. I was Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization in 2000, and I have maintained my board certification since then. I have also been Board Certified in Civil Trial Advocacy by the National Board of Trial Advocacy since 2002. I have been selected by Texas Monthly Magazine as a Rising Star Lawyer on four separate occasions before I turned 40. Since turning 40, I have been

selected as a Super Lawyer by Texas Monthly magazine three times (2009, 2010, and 2011). I practice in all areas of personal injury trial law, but focus my practice on mass tort pharmaceutical cases. I have served as lead counsel in two Fen-Phen trials against Wyeth Pharmaceuticals. Both cases were tried for over two weeks and ended with substantial settlements as the cases neared jury deliberation.

Throughout the past several years, I have handled pharmaceutical cases involving the drugs Pondimin, Redux, Vioxx, Bextra, Celebrex, Paxil, Dilantin, Ortho Evra, Zyprexa, Avandia, Trasylol and Zimmer NexGen. More specifically, I have served my clients in the following MDL cases:

- MDL 1203: In Re: Diet Drugs Products Liability Litigation;
- MDL 1742: In Re: Ortho Evra Products Liability Litigation;
- MDL 1596: In Re: Zyprexa Litigation Products Liability Litigation;
- MDL 1699: In Re: Bextra/Celebrex Products Liability Litigation;
- MDL 1657: In Re: Vioxx Products Liability Litigation;
- MDL 1928: In Re: Trasylol Products Liability Litigation; and
- MDL 2272: In Re: Zimmer NexGen Knee Implant Products Liability Litigation.

In the past, I served on the Plaintiffs' Steering Committee for Region I of Texas for the Phen-Fen diet drug litigation. Our steering committee served to represent the Plaintiffs' interests in well over one thousand diet drug cases. In this regard, I was frequently called upon to serve as lead advocate for the Plaintiffs. My duties included negotiating a fact sheet and arguing extensive pretrial motions such as evidentiary points and expert issues concerning qualifications and causation.

I also served on the Plaintiffs Steering Committee on the Trasylol litigation before Judge Donald Middlebrooks of the Southern District of Florida. In this litigation, I was deeply involved the liability discovery against Defendant Bayer. In fact, I took many of the most important depositions in the litigation and my firm found many of the most important documents that were both used in depositions and made the ultimate trial exhibit list. I was frequently called in to help on depositions where I was originally not the lead or where last minute back-up was needed. I consistently answered the call. I traveled to Connecticut, New York City and to Amsterdam to depose Bayer executives.

I actively serve on the Plaintiffs' Steering Committee for the Zimmer NexGen Knee Implant litigation before Judge Rebecca Pallmeyer of the Northern District of Illinois. In this most recent role, I am involved in organizing and overseeing the ongoing document review process. I anticipate being heavily involved in taking critical depositions of various Zimmer representatives.

Thus far, I have been working with several law firms to prosecute this litigation jointly. I believe we have all been working well together. I have reviewed the Proposed Counsel Structure Plan filed with the court for MDLs 2325, 2326 and 2327 on March 19, 2012 and join in the recommendation to the court that the plan be accepted.

My firm is counsel of record regarding the following cases filed in federal courts in Texas:

- Civil Action No. 5:12cv00027; *Lisa Swink v. Ethicon, Inc., et al*, EDTX
- Civil Action No. 4:12cv00904; *Sandra D. Singleton-Hough v. Boston Scientific*, SDTX
- Civil Action No. 43:12cv00093; *Betty Ann Roth v. American Medical Systems, Inc., et al.*, SDTX
- Civil Action No. 3:12cv00898; *Rebecca Duncan v. Ethicon, Inc., et al*, NDTX
- Civil Action No. 4:12cv00910; *Cynthia Nix v. Ethicon, Inc., et al*, SDTX
- Civil Action No. 4:12cv915; *Sandra M. Stolnake v. American Medical Systems, Inc., et al.*, SDTX
- Civil Action No. 2:12cv161; *Blynn Wilson v. Ethicon, Inc., et al.*, EDTX

and the following case filed in the United States District Court for the Southern District of West Virginia at Charleston - MDL No. 2197:

- Civil Action No. 2:12-0138; *Deloris Burke and James Burke, Jr. V. C. R. Bard, Inc., et al.*

If asked to serve on Plaintiffs' Steering Committee, I do not foresee any conflicts or strain on my firm's resources. I purposely have limited my participation in other projects so I can devote a significant amount of time and resources to this litigation.

Dated: March 28, 2012

/s/ Douglas C. Monsour

Douglas C. Monsour
THE MONSOUR LAW FIRM
404 N. Green Street
Longview, Texas 75601
(903) 758-5757